



Order Filed on May 24, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

1 UNITED STATES BANKRUPTCY COURT
2 DISTRICT OF NEW JERSEY

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14 ATTORNEYS FOR THE DEBTOR(S)

15 In Re:
16 OTIS S. GOULBOURNE, DEBTOR(S)

Case No.: 17-29393 (RG)

Adv. No.:

Hearing Date: 5/16/2018

Judge: ROSEMARY GAMBARDELLA

15 ORDER AUTHORIZING LOAN
16 MODIFICATION AND FOR OTHER RELIEF

17 The relief set forth on the following pages, two (2) through four (4) is
18 hereby ORDERED:

23 DATED: May 24, 2018

A handwritten signature in black ink, appearing to read "Rosemary Gambardella".
24
25 Honorable Rosemary Gambardella
26 United States Bankruptcy Judge

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1 Page 2

2 Debtor: Otis S. Goulbourne, Debtor(s)

3 Case no.: 17-29393 RG

4 Caption of order: Order Authorizing Loan Modification and for
5 Other Relief

6

7 1. That the Debtor be and is hereby authorized to enter
8 into and consummate a loan modification with Midfirst Bank,
9 pursuant to the terms and conditions of the proposed loan
10 modification agreement, entitled 'Loan Modification Agreement
11 (Fixed Rate Loan)', filed as an Exhibit in support of this
12 motion, relating to real property located at 660 Mill Street,
13 Belleville, New Jersey, and the loan modification be and is
14 hereby approved.

15 2. That the Debtor and/or Midfirst Bank, be and are
16 authorized to enter and consummate any transaction necessary and
17 incident to the loan modification relating to this property, the
18 sole exception being the transfer of the property or an interest
19 in the property by the Debtor(s) to someone else.

20 a. Limited automatic stay relief is granted, to allow
21 Midfirst Bank, to negotiate any such agreement with the Debtor
22 or counsel, enter into and sign a loan modification agreement,
23 and record any documents with the appropriate county recorders
24 office without such action being considered a violation of the
25 automatic stay.

26 3. That the Debtor and/or Midfirst Bank, are authorized to
27 negotiate and prepare the terms or documents relating to a loan
28 modification, or any necessary transaction incident to a loan

1 Page 3

2 Debtor: Otis S. Goulbourne, Debtor(s)

3 Case no.: 17-29393 RG

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6

7 modification agreement, such as, but not limited to the
8 circumstances described above, with respect to this property and
9 any such negotiation and/or preparation of documents and/or
10 recording of documents, by the parties shall not be considered to
11 be a violation of the automatic stay and are specifically
12 authorized by the Court.

13 4. That any communication by the parties relating to the
14 loan modification shall be considered to be negotiations,
15 pursuant to the Rules of Evidence, and shall not be used by
16 either party against the other in the context of any subsequent
17 litigation in this Court or any state court, federal court or
18 non-judicial forum.

19 5. That nothing in this order shall be construed as a
20 modification of the plan.

21 6. That the mortgage company and/or mortgage servicer may
22 not persuade the Debtor(s) to dismiss this case in order to
23 consummate a loan modification.

24 7. That because the mortgage is being modified and the pre-
25 petition arrears are being addressed in the new mortgage, the
26 pre-petition arrearage claim, filed by Midfirst Bank, or its
27 predecessors, assignees or successors in interest, filed as
28 claim number five (5) on the claims register, shall not be paid

1 Page 4

2 Debtor: Otis S. Goulbourne, Debtor(s)

3 Case no.: 17-29393 RG

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7 and the Trustee shall not make any payments/disbursements on any
8 pre-petition arrearage claim. If the modification is not
9 consummated for any reason, Midfirst Bank, may, at any time
10 during the pendency of this case, re-list the matter for further
11 hearing, otherwise, this order shall be deemed final.

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Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
 Otis S Goulbourne
 Debtor

Case No. 17-29393-RG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: May 24, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 26, 2018.

db +Otis S Goulbourne, 660 Mill Street, Belleville, NJ 07109-1353

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 26, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 24, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor MIDFIRST BANK dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
 Herbert B. Raymond on behalf of Debtor Otis S Goulbourne bankruptcy123@comcast.net, jeff.raymond@comcast.net;raymondmail@comcast.net;carol-raymond@comcast.net;bankruptcyattorneys@comcast.net;herbertraymond@gmail.com;carbonell_c@hotmail.com;kdelyon.raymond@gmail.com
 Marie-Ann Greenberg magecf@magtrustee.com
 Rebecca Ann Solarz on behalf of Creditor MIDFIRST BANK rsolarz@kmllawgroup.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5